

## Flanagan, Sarah

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**From:** Flanagan, Sarah  
**Sent:** Wednesday, October 15, 2014 4:24 PM  
**To:** RAY REOTT  
**Cc:** Justin Boyd (jboyd@blackcreekcapital.com); Kathryn Kilgore (kkilgore@industrialincome.com)  
**Subject:** RE: Clifton Access Agreement  
**Attachments:** 10.15.2014 IIT Consent to EPA Access rev rlso.docx

Ray,

The marked survey you provided will work well as Exhibit A. Thank you.

We spoke with Lockheed Martin this morning about its insurance coverage. Lockheed will revise its Certificate of Insurance to show \$8 million in excess coverage which sits above the Commercial General Liability. With respect to Contractor's Pollution Liability, Lockheed Martin explained that their CGL coverage has an extension for "sudden and accidental" releases, but they do not carry Contractor's Pollution Liability because they do not contract to perform remedial or cleanup work. We asked Lockheed to provide a written statement to this effect. I modified the consent to access form to reflect that Lockheed is not carrying Contractor's Pollution Liability coverage.

When Lockheed reissues the Certificate of Insurance, what name and address should it use for IIT? Apologies if you already provided this information to EPA.

Regards,  
-Sarah

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**From:** RAY REOTT [mailto:RAY.REOTT@bfkn.com]  
**Sent:** Wednesday, October 08, 2014 6:23 PM  
**To:** Flanagan, Sarah  
**Cc:** Justin Boyd (jboyd@blackcreekcapital.com); Kathryn Kilgore (kkilgore@industrialincome.com); RAY REOTT  
**Subject:** Clifton Access Agreement

Sarah – happy to work with you in place of Leena. I have attached a marked survey to show the approximate location of the gate to the Givaudan cell as well as the proposed portion of the property to which IIT would grant access. If you need to propose a different area, I also have attached the unmarked survey for you to use.

As I noted in my last e-mail to Leena, it appears as if the USEPA contractor has some gaps in its coverage. I would expect them to have Contractor's Pollution Liability coverage, otherwise there is normally no coverage in the liability policy for

environmental damages. Also, the certificate did not show any excess coverage. This must also be an oversight as I am sure they have ample excess coverage that could be added to the certificate. Can you check on both of these items?

Thanks, Ray

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